

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dang, et al.	Atty. Docket No.: GPT-0029.01
Serial No.: 09/934,250	Examiner: K. Stiller
Filing Date: August 21, 2001	Art Unit: 1617
Title: <i>Salts of Analgesic Substances in Oil, and Methods of Making and Using the Same</i>	

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I hereby certify that the instant "*Response to Restriction Requirement*" is being deposited on the date set forth below with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

2-14-02

Date of Signature and Mail Deposit

By: Terrill Williams
Terrill Williams

Commissioner for Patents
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the outstanding Restriction Requirement of December 17, 2001, Applicants provisionally elect, with traverse, Group I, claims 1-41. However, it is respectfully submitted that examination of all claims simultaneously would place no undue burden on the Examiner. The Applicants respectfully point out that the examination of the claims of Group II, claims 42-56, necessarily entails a search of the subject matter of Group I, and therefore submits that the examination of Groups I and II together presents no significant burden over the examination of Group I alone.

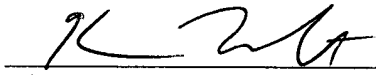
For a restriction requirement to be valid, the Examiner must establish that the search and examination of the entire application cannot be made without serious burden (M.P.E.P. § 803). Accordingly, Applicants respectfully request examination of all claims simultaneously.

Further, the Applicants, with traverse, respectfully elect lidocaine HCl as a pharmaceutically acceptable analgesic salt agent and sesame oil as a biocompatible oil, as required by 35 U.S.C. § 121. Applicants provisionally submit that claims 1-41 read, at least in

part, on the species elected. The Applicants expressly reserve the right to prosecute species not elected herein in other patent applications claiming the benefit of the filing date of this application. Furthermore, the Applicants understand that upon allowance of a generic claim, they will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of any allowed generic claims.

Any questions raised by this submission may be directed to the undersigned at (617) 832-1169. The Commissioner is hereby authorized to charge any underpayments, or credit any overpayments, to our **Deposit Account No. 06-1448**.

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Respectfully submitted,
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